



One Hundred Fifteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515
www.foreignaffairs.house.gov

March 1, 2018

The Honorable Rex W. Tillerson
Secretary of State
U.S. Department of State
Washington, D.C. 20520

Dear Mr. Secretary:

I am deeply troubled by the President's decision to resume sending detainees to the detention center at Guantanamo Bay. National security leaders from across the political spectrum agree that reopening Guantanamo undermines our broader counterterrorism efforts, wastes millions of taxpayer dollars, and does nothing to strengthen our national security.

To make matters worse, you have effectively closed the State Department office that deals with Guantanamo Bay detainees by reassigning the office's entire staff. The Obama Administration established a necessary and rigorous process for addressing security concerns related to detainee transfers, and the work of the Guantanamo Bay office was a key part of that process.

We relied on the office to negotiate security assurances with foreign governments receiving detainees, work with those governments to monitor reintegration, and ensure that detainee agreements and security assurances are upheld. I am concerned by the impact the office's closing is having on America's ability to uphold its international and legal obligations. Earlier this month, the Administration failed to repatriate Ahmed Mohammed Haza al-Darbi to Saudi Arabia, missing a deadline set in his 2014 plea agreement.

Until last October when the Guantanamo office was emptied, its staff was coordinating detainee policy across the US government, including four State Department bureaus, on detainee transfers to nine countries — while another 5, already cleared for transfer, awaited action. And now, with the Administration's ill-conceived idea to resume sending detainees to Guantanamo, the work of the office will be sure to increase.

In August you informed me of your plan to move the functions, budget, and staff of the Guantanamo Bay office to the Bureau of Western Hemisphere Affairs. The Bureau does not

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have the institutional knowledge, expertise, or staffing to adequately handle detainee issues around the world.

Numerous stakeholders have expressed concern over the State Department's repeated failure to respond to queries related to critical detainee issues. With the Guantanamo Bay office hollowed out, the transition to Western Hemisphere Bureau still pending, and an ongoing hiring freeze, the Department appears unable to manage the diplomatic issues surrounding detention and transfer of detainees.

Mr. Secretary, once again, I strongly oppose the decision to resume sending detainees to Guantanamo Bay, and I am deeply concerned about the implications of shuttering the Guantanamo Bay office without an adequate plan to continue its work. I urge you to immediately reconstitute the office in the Bureau of Counter Terrorism, where it belongs.

Sincerely,



ELIOT L. ENGEL
Member of Congress